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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/733,027	12/08/2000	Kannan Govindarajan	10001428-1	7279

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EXAMINER

DIVINE, LUCAS

ART UNIT

PAPER NUMBER

2624

DATE MAILED: 02/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/733,027	GOVINDARAJAN ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Lucas Divine	2624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 10 November 2004.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-6 and 13-18 is/are rejected.
- 7) Claim(s) 7-12, 19-24 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|  | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

1. Claims 6 and 18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The claims are indefinite as to what instructions are identified in the first begin scope instruction and the first end instruction. A reading implies the inclusion of both the begin and end scope instruction information in the begin scope instruction as well as the end scope instruction. Clarification in regards to what information is included and what it identifies is requested to particularly point out and distinctly claim the subject matter which the applicant regards as the invention.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an

international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1, 2, 6, 13, 14, and 18 are rejected under 35 U.S.C. 102(e) as being anticipated by Howard et al. (US 6584505) hereafter referred to as Howard.

Regarding claim 13, Howard discloses one or more computers interconnected by a network (Fig. 1, col. 1 line 17, wherein the networked system is the internet, a global network of connected computing systems) and computer programs executing on said computing machines (Fig. 2, col. 4 line 46). Howard also teaches the use of a begin scope instruction (Fig. 4 ref. no. 206, col. 6 lines 60-64, wherein the user signs on, sending instruction information to the server to begin the session) and an end scope instruction (col. 7 line 27, wherein the user chooses to log out of the system, thus sending an end session instruction to the server). The limitations in claim 13 of tracking client-specific data objects after the begin instruction (col. 7 lines 23-26, wherein the client-specific resource data is tracked in a cookie) and the removal of said objects after the end instruction (col. 7 lines 27-30, wherein the cookie containing reference to the resource objects is removed from the client system) are also met by Howard.

Regarding claim 14, which depends from claim 13, Howard's fundamental system automatically includes a transient scope in the tracking of the client resource data by removing client-specific data objects after session termination. Howard discusses that if the user session times out and the user does not verify login information, the session is automatically terminated prior to an end scope instruction (col. 8 lines 1-7 and col. 7 line 28). The first client-specific resource data is then removed from their system (col. 7 lines 27-30).

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Regarding claim 18, which depends from claim 13, identifying information of the first begin and end instructions is inherent to the login and logout of Howard. The login and logout of Howard must include information tying which logout relates to which login and other information such as user name and information.

Regarding claim 1, the method steps of claim 1 are wholly recited in the program instructions in the computer system as discussed in the rejection of claim 13. Therefore, the claimed limitations of method claim 1 are met in the rejection of claim 13.

Regarding claim 2, the method steps of claim 2 as depending from claim 1 are included in the computer system discussed in the rejection of claim 14 as it depends from claim 13. Therefore, the claimed limitations of method claim 2 are met in the rejections of claims 13 and 14.

Regarding claim 6, the method steps of claim 6 as depending from claim 1 are including in the computer system of claim 18 as it depends from claim 13. Therefore, the claimed limitations of method claim 3.

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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3. Claims 3 and 5, which depend from claim 1, and claims 15 and 17, which depend from claim 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Howard in view of Haun et al. (US 6751658) hereafter referred to as Haun.

Regarding claim 15, Howard teaches all of the limitations of the rejected independent claim 13. Howard teaches using temporary data but does not teach persistent data storage for designated user items.

Haun teaches persistent data storage (Fig. 1 ref. no. 186) for storing client-specific data objects for use in the next client session if the current client session terminates (col. 6 lines 23-30). The objects that are stored are designated persistent in response to a client instruction (col. 5 lines 15-18 and col. 6 line 29, wherein changes are made by the user that set the desirable persistent information). The first begin instruction that initiates the login must include a persistent instruction in order to let the management process know to bring up the persistent objects from the last session (col. 6 line 31, wherein the user's next login brings back their client persistent information).

Howard and Haun are combinable because both teach networked systems including client sessions and client data.

It would have been obvious to one of ordinary skill in the art to add the program steps of Haun to the networked client system of Howard in order to enable desirable persistent storage of client data. This motivation would allow the system of Howard to bring back user information, preferences, profiles, and other desirable data from session to session.

Regarding claim 17, Howard in view of Haun teaches all of the limitations listed. Howard teaches all of the limitations of the rejected independent claim 13. The limitations

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referring to transient scope are included in the Howard rejection of claim 14. The limitations referring to persistent scope are included in the Howard in view of Haun rejection of claim 15.

Regarding claim 3, the method steps of claim 3 as depending from rejected claim 1 are included in the computer system of claim 15 as it depends from claim 13. Therefore, the claimed limitations of method claim 3 are met in the rejections of claims 13 and 15.

Regarding claim 5, the method steps of claim 5 as depending from rejected claim 1 are included in the computer system of claim 17 as it depends from claim 13. Therefore, the claimed limitations of method claim 5 are met in the rejections of claims 13 and 17.

4. Claims 4, which depends from claim 1, and claim 16, which depends from claim 13, are rejected under 35 U.S.C. 103(a) as being unpatentable over Howard in view of Harrison et al. (US 6691113) hereafter referred to as Harrison.

Regarding claim 16, Howard teaches all of the limitations of the rejected independent claim 13. Howard teaches using temporary data but does not teach persistent data storage in client name-space for designated user items.

Harrison discloses Persistent Data Storage for Client Computer Software Programs.

Harrison teaches designating persistent data objects with names for the objects (col. 7 line 67, wherein the data is stored with names). These objects are stored in a persistent folder in the client name-space in response to a client instruction (Fig. 6 ref no. 500, col. 5 line 11 and col. 7 lines 65 and 66, wherein the client persistent data is stored on the client computer). The instruction could be any of a number of things, from logging out, setting preferences, changing profile information, or any other user data.

Howard and Harrison are combinable because they both teach networked computing systems with clients and client data.

It would have been obvious to one of ordinary skill in the art to add the persistent data scheme and naming of Harrison to the client system of Howard. The motivation for doing so would have been to allow the system of Howard to bring back user information, preferences, profiles, and other desirable data from session to session and to access this data with specific naming to make the system easy for use and design.

Regarding claim 4, the method steps of claim 4 as depending from rejected claim 1 are included in the computer system of claim 16 as it depends from claim 13. Therefore, the claimed limitations of method claim 4 are met in the rejections of claims 13 and 16.

#### *Allowable Subject Matter*

5. Claims 7 – 12 and 19 – 24 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims and if all 35 U.S.C. 112 rejections are overcome.

Regarding claims 7 and 19, the prior art does not teach singularly or in combination the limitations of pausing tracking of the first scope client-specific resource data along with resuming tracking of the first client-specific data objects once a second end instruction has been received.

Regarding claims 12 and 24, the prior art does not teach singularly or in combination the limitations of the first begin scope instruction including a persistent scope instruction and the second begin scope instruction including a transient scope instruction.

***Response to Arguments***

1. Applicant's arguments, with respect to the 35 U.S.C. § 112, first paragraph rejection on claims 6 and 18, have been fully considered and are persuasive. The 112, first paragraph, rejection of claims 6 and 18 has been withdrawn.
2. Applicant's arguments, with respect to the 35 U.S.C. § 112, first paragraph rejection on claims 1-24, have been fully considered and are persuasive. The 112, first paragraph, rejection of claims 1-24 has been withdrawn.
3. Applicant's arguments filed in response to the 35 U.S.C. § 102 rejection of claims 1, 2, 6, 13, 14, and 18 have been fully considered but they are not persuasive. On page 10 of applicant's response, the bottom paragraph that carries over to the next page states '*the cookies (and its data) removed when the user logs out of the authentication server are created when the user visited sites since the last logout from the authentication server. Accordingly, the cookies (and data) removed by Howard are not the same cookies (and data) tracked in response to the user's having logged into the authentication server*'.

In reply: the cookies removed when the user logs out of the authentication server (col. 7 lines 28-29) are created on the client when the authentication server copies them to the client in line 14 of col. 7. The tracking cookie is therefore updated as the user visits new sites (lines 26-27). In regards to the statement of 'created', Howard teaches in lines 23-24 that if there is no tracking cookie after the user logs in (since this is after the user login at the bottom of col. 6), a

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tracking cookie is therefore created for the user. Either way, updating or creating is completed in response to the user login. Further, the removal of cookies from the client machine is completed in response to the user logout. Therefore, the cookies removed by Howard ARE the same cookies tracked in response to the users logged into the authentication server.

The cookies are copied to the client in response to a login to the system. The cookies include a tracking cookie. The cookies are removed from the client in response to a logout.

4. Applicant's arguments, with respect to the 35 U.S.C. § 103 rejection on claims 1 and 13, have been fully considered and are persuasive. The obviousness rejection of claims 1 and 13 has been withdrawn.

*Conclusion*

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lucas Divine whose telephone number is 703-306-3440. The examiner can normally be reached on Monday - Friday, 7:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore can be reached on 703-308-7452. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Lucas Divine  
Examiner  
Art Unit 2624

ljd



KING Y. POON  
PRIMARY EXAMINER